



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PENSACOLA REGULATORY OFFICE
41 NORTH JEFFERSON STREET, SUITE 111
PENSACOLA, FLORIDA 32502

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch

December 8, 2008

PUBLIC NOTICE

Permit Application No. SAJ-2007-05978-IP-EPS

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: City of Gulf Breeze
c/o Edwin Eddy, City Manager
1070 Shoreline Drive
Gulf Breeze, FL 32562

WATERWAY & LOCATION: The project is located in waters of Pensacola Bay, at the site known as Deadmans Island. The site is just north of Highpoint Drive, on the north side of Gulf Breeze, in Section 06, Township 03 South, and Range 30 East, Santa Rosa County, Florida.

LATITUDE & LONGITUDE: Latitude 30°22.118' North
Longitude 87°11.208' West

PROJECT PURPOSE:

Basic: Shoreline stabilization and protection of historical resources.

Overall: Deploy oyster reef structures to create a breakwater to protect an eroding shoreline and historical resources at Deadmans Island, and create saltmarsh and seagrass beds.

PROPOSED WORK: Project modifications have required a second Public Notice be issued for this revised project. The applicant proposes to construct approximately 1300 feet of breakwater, located 180 to 280 feet waterward of the existing shoreline of Deadmans Island, in -2 to -3 feet of water Mean High Water (MHW, as determined by licensed surveyor). The breakwater would be constructed of triangular Reefblock units measuring 5 feet on each side, and 2 or 3 feet high, dependent on water depth. These Reefblock units consist of metal rebar structures designed to hold oyster shell at a vertical level, allowing additional circulation and reducing the amount of anoxic pockets of bacteria and fungus found in some created oyster reefs.

Each structure would initially weigh approximately 600 pounds and would contain half recycled oyster shell, and half fossilized oyster shell. The weight would increase from growth on the cultch material and as the reef matures. Each unit would be anchored for stability in hurricanes; information on anchoring methods has not been provided. The Reefblock units would be transported to the site on a commercial vessel drawing 18 inches loaded. A knuckle boom crane would place the units on geotextile fabric on the sandy bottom found at the site. Signs marking the semi-submerged breakwater would be placed in accordance with Uniform Waterway Markers in Florida Waters rules. The applicant would monitor spat recruitment, settlement and species population biodiversity. The applicant also proposes to backfill the area behind the breakwater with 16000 cubic yards of material, and plant 1.04 acres of this zone with emergent wetland plants on 1' to 1.5' centers. The fill material would come from nearby dredge material disposal sites as shown on the attached drawings. The plan involves the planting of salt marsh cordgrass (*Spartina alterniflora*) at an elevation ranging from -0.5 to +1.0' MHW (as established by local surveyor). Black needlerush (*Juncus roemerianus*) would be planted at elevations ranging between +1.0-2.0 MHW while salt meadow cordgrass (*Spartina patens*) would be planted above +2.0' MHW. In addition, species such as sea oats (*Uniola paniculata*) and bitter panicum (*Panicum amarum*), would be planted above +2.0 MHW. Approximately 45,300 square feet (1.04 acres) of emergent marsh vegetation consisting of *S. alterniflora*, *J. roemerianus*, and *S. patens* would be planted. Approximately 2,025 square feet (0.046 acres) of coastal dune vegetation would also be planted. The remaining approximately three acres of submerged area behind the breakwaters is proposed as a receiver site for ACOE and DEP permitted SAV removal projects or for laboratory cultured seagrass. Other methods proposed include plugs of widgeon-grass (*Ruppia maritima*) being transplanted and injected with a microbial bacteria to promote growth of this seagrass. No additional information on source of these plugs or other information about this has been provided. Various materials such as jute mesh and jute screens are also proposed by the applicant to promote expansion of seagrass.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The project involves habitat creation and restoration components.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: The project involves habitat creation and restoration components.

EXISTING CONDITIONS: The site has been used as a careening ground for vessel repairs, a quarantine station, and various production facilities. The City of Gulf Breeze acquired all of Deadmans Island in 1978, and it has since been in use for passive recreation activities such as fishing and swimming. This narrow strip of land

contains upland species including sea oats (*Uniola paniculata*) and sand live oak (*Quercus geminata*), and emergent wetlands on the fringes, with those areas dominated by black needle rush (*Juncus roemerianus*). The only submerged aquatic vegetation (SAV) present is an approximately 6' x 6' area of shoal grass (*Halodule wrightii*); this would be avoided by the project as proposed. Aerial photographs show the island has shrunk considerably in size over the last several decades, and continues to experience substantial erosion.

ENDANGERED SPECIES: The project would occur within Gulf sturgeon (*Acipenser oxyrinchus desotoi*) Critical Habitat Unit 9. The Jacksonville District Corps of Engineers (Corps) has determined that the project may affect, but is not likely to adversely affect the Gulf sturgeon and is not likely to destroy or adversely modify its designated critical habitat. The applicant has stated that construction would occur outside of periods when Gulf sturgeon are most likely to be in this estuary. The applicant and the Corps have previously engaged directly with National Marine Fisheries on this species, however a second request for concurrence on these effect determinations for Gulf sturgeon and its critical habitat, as well as No Effect determinations for swimming sea turtles (*Caretta caretta*, *Chelonia mydas*, *Dermochelys coriacea*, and *Lepidochelys kempi*), and smalltooth sawfish (*Pristis pectinata*) will be sent to National Marine Fisheries, PRD. The project does not occur within West Indian manatee (*Trichechus manatus*) Critical Habitat, but is within the present range of the species (Reach #79). The Jacksonville District Corps of Engineers (Corps) has determined the project may affect but is not likely to adversely affect the manatee. Informal consultation with US Fish and Wildlife Service for manatee will occur. The Corps is not aware of any other threatened or endangered species, or other designated critical habitat on the project site.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 0.38-acre of estuarine bottom habitat. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Gulf of Mexico. The applicant has also previously engaged directly with National Marine Fisheries Service, HCD, regarding effects to EFH. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

AUTHORIZATION FROM OTHER AGENCIES: The Florida Department of Environmental Protection (FDEP) is reviewing the permit application under File No. 57-0282197-001-DF. A version of this project was previously proposed by the US Army Corps of Engineers, Mobile District; that application to FDEP was withdrawn.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact the Corps Project Manager, Ed Sarfert at the letterhead address, by electronic mail at edward.p.sarfert@usace.army.mil, by fax at 850-433-8160, or by telephone at 850-439-9533.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

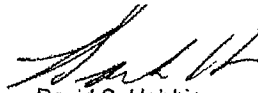
IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located at the site of the proposed work. Presently, unknown archaeological, scientific, pre-historical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of Important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable deterrents. All factors which may be relevant to the proposal will be considered including cumulative Impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest. The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

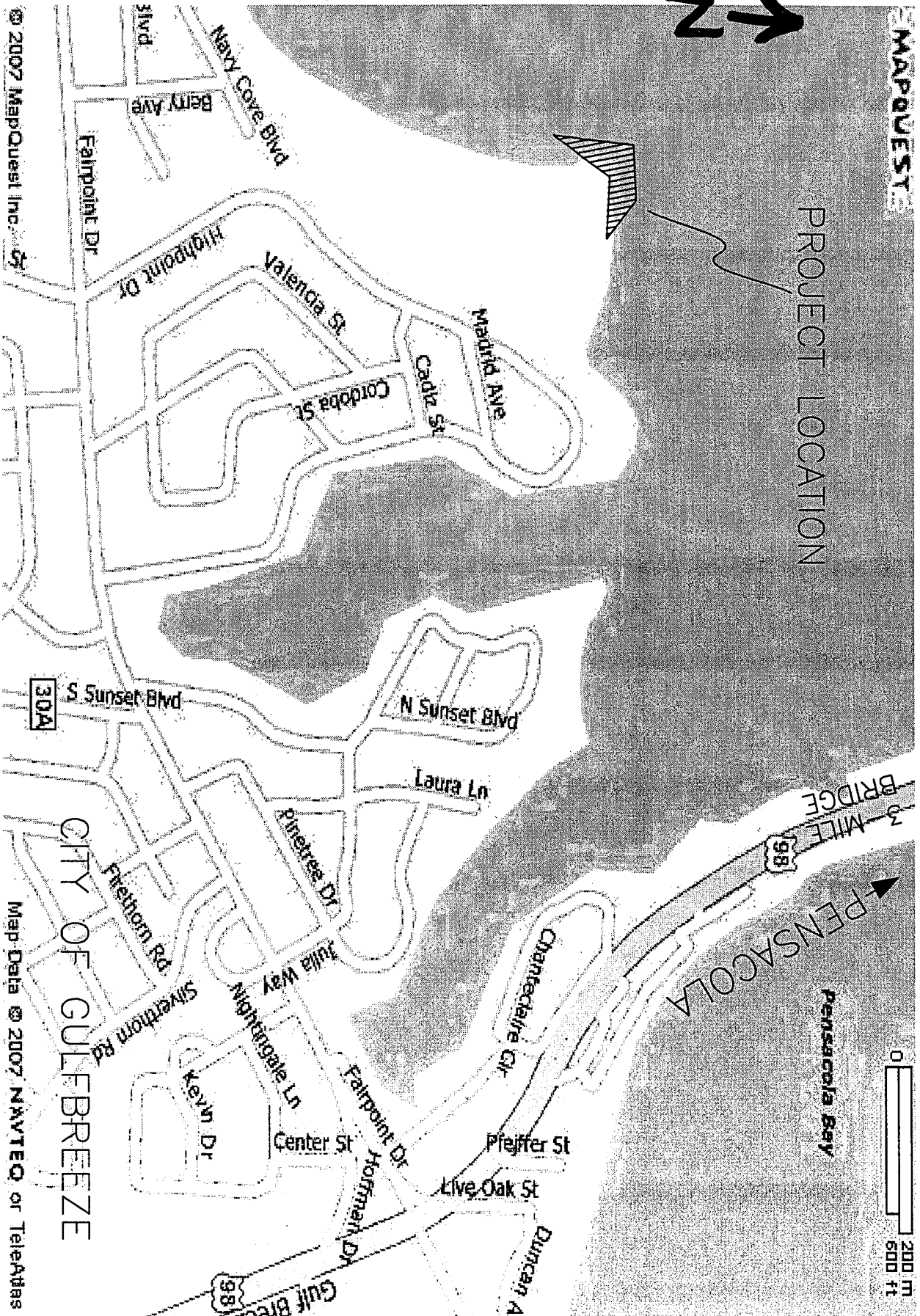
COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


David S. Hobbie
Regulatory Division

MAPQUEST

PROJECT LOCATION



0 200 m
600 ft

Pensacola Bay

3 MILE BRIDGE
98
PENSACOLA

CITY OF GULFBREEZE

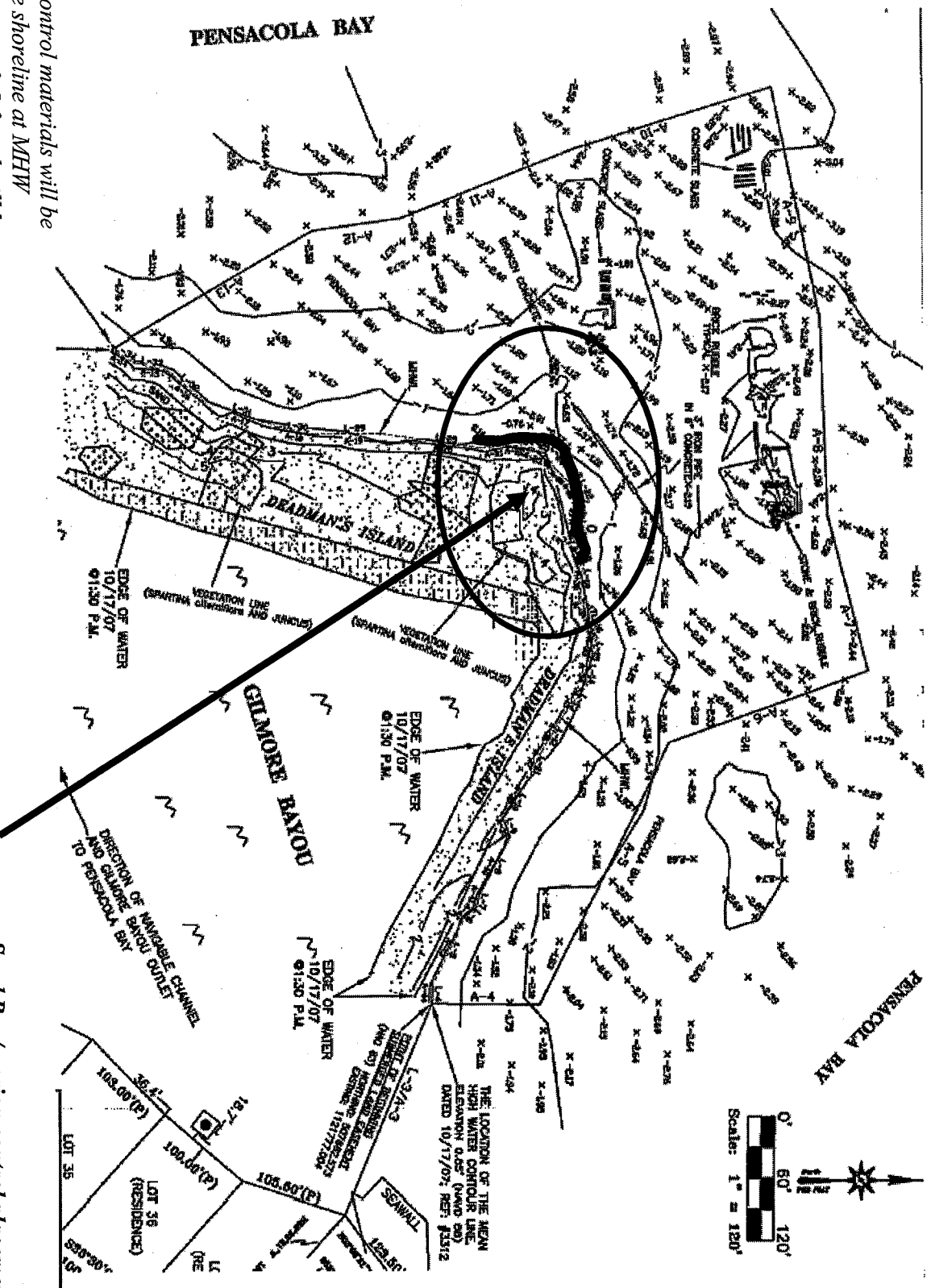
Map Data © 2007 NAVTEQ or TeleAtlas

EMPIRE LAND SURVEYING, INC.
8720 N. PALFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745 FAX: 850-477-3706
LICENSED BUSINESS #6983 STATE OF FLORIDA
D:\Jeremy\6\jobs\DWG\458-07\working.dwg 12/27/2007 9:58:13 AM

DEADMAN'S ISLAND
PROJECT VICINITY MAP

PAGE:	4 OF 4
SCALE:	NTS
FIELD DATE:	N/A
ORDER NO.:	458-07
FIELD BOOK:	N/A

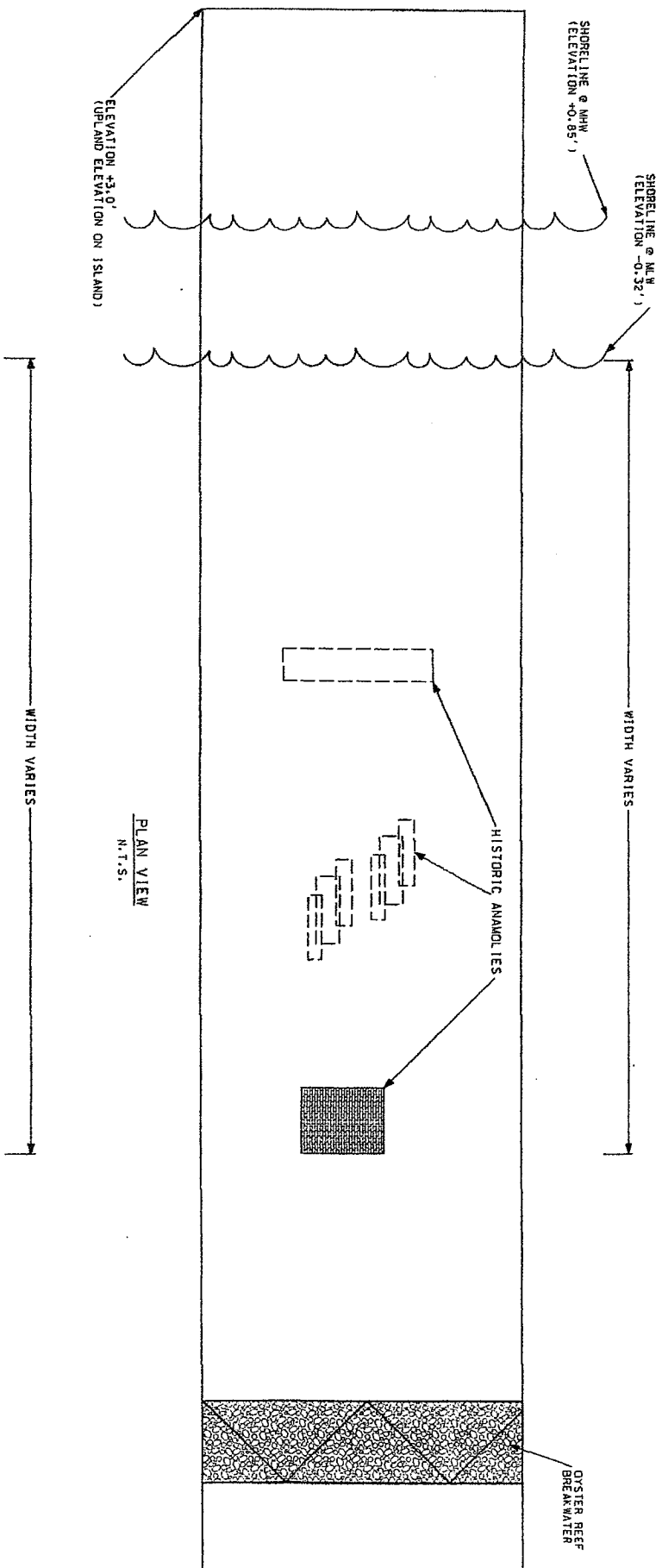
Deadman's Island Habitat Restoration Project Erosion control placement



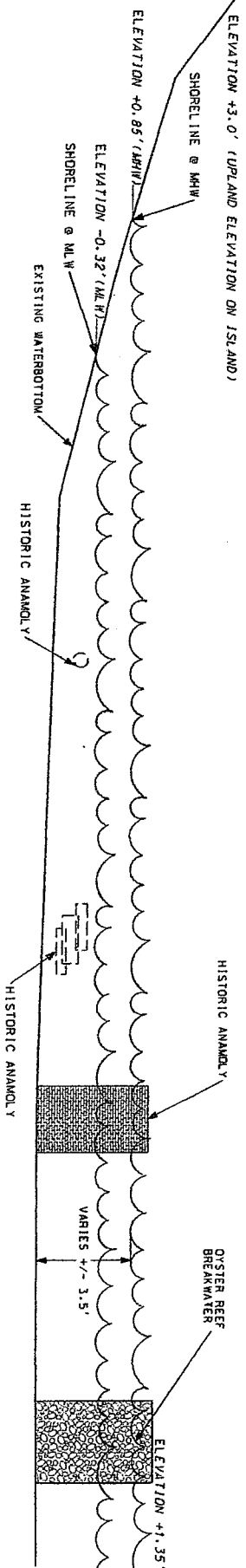
Erosion control materials will be placed the shoreline at MHW extending out to 3-5 ft and will be 231 linear feet

Zone 1 Emergent planting along the shoreline
(no time restrictions after permitted)
Spartina alterniflora, *Juncus roemerianus*, etc.

1. MEAN HIGH WATER ELEVATION BASED ON SURVEY PROVIDED BY EMPIRE LAND SURVEYING, PENSACOLA, FL (10/17/07).



PLAN VIEW
N.T.S.



PROFILE VIEW
N.T.S.

DEADWANS ISLAND	
AQUATIC RESTORATION PLAN	
CROSS SECTION WITH BREAK WATER PLAN / PROFILE	
DATE	SCALE
01/04/04	AS SHOWN
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THE UNIVERSITY OF CHICAGO

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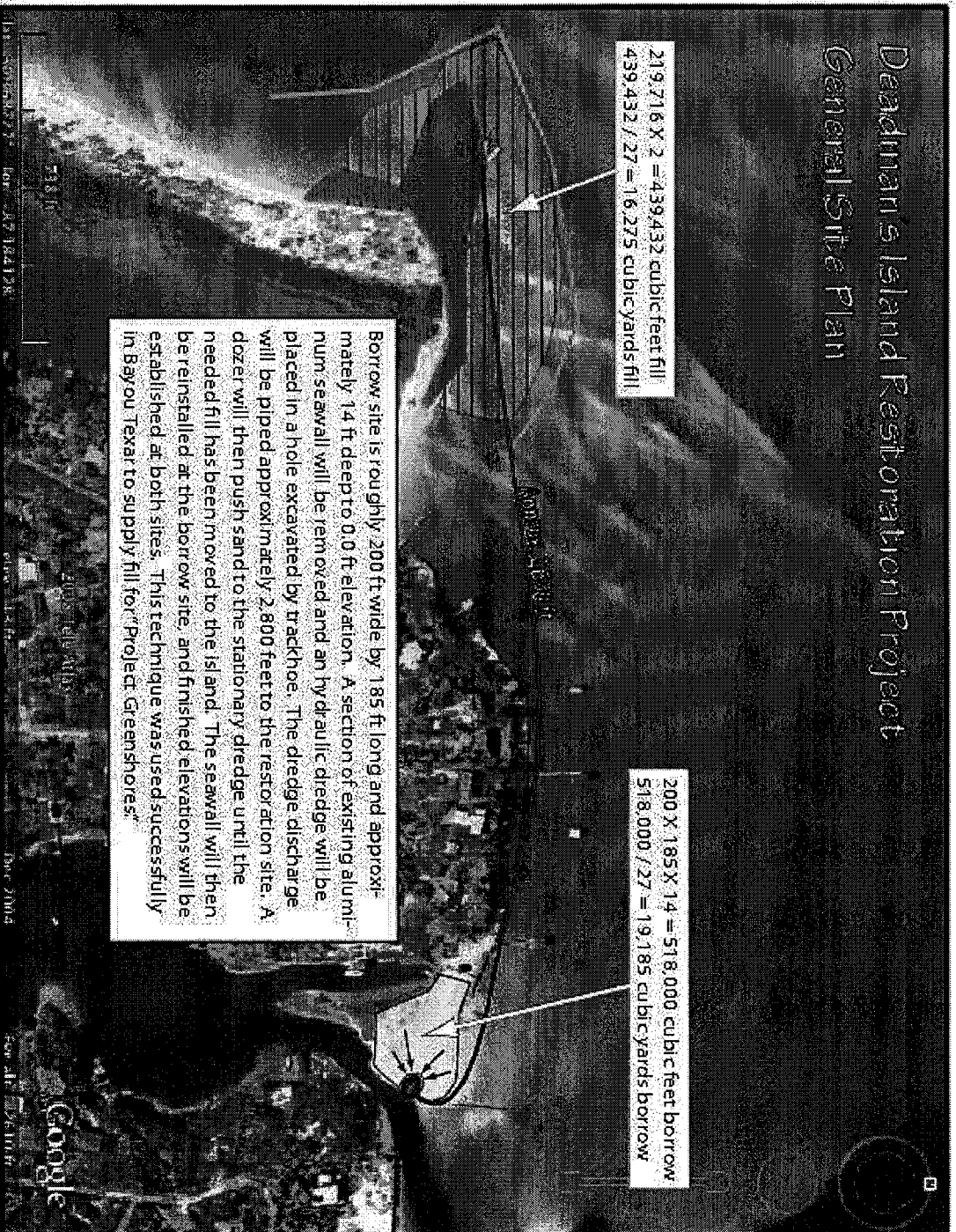
MATERIAL	REINFORCING ISLAND
	AQUATIC RESTORATION PLAN
	PROJECTED
	CROSS SECTION
	PLAN & PROFILE
DRAWN BY	Revised by Hideo Pohl
CHECKED BY	
DATE	

Deadman's Island Restoration Project General Site Plan

$219.716 \times 2 = 439.432$ cubic feet fill
 $439.432 / 27 = 16.275$ cubic yards fill

$200 \times 185 \times 14 = 518,000$ cubic feet borrow
 $518,000 / 27 = 19,185$ cubic yards borrow

Borrow site is roughly 200 ft wide by 185 ft long and approximately 14 ft deep to 0.0 ft elevation. A section of existing aluminum seawall will be removed and an hydraulic dredge will be placed in a hole excavated by trackhoe. The dredge discharge will be piped approximately 2,800 feet to the restoration site. A dozer will then push sand to the stationary dredge until the needed fill has been moved to the island. The seawall will then be reinstalled at the borrow site, and finished elevations will be established at both sites. This technique was used successfully in Bayou Texar to supply fill for "Project Greenshores."



PENSACOLA BAY

DEADMAN'S ISLAND

GILMORE BAYOU

PENSACOLA BAY

THE LOCATION OF THE MEAN HIGH WATER CONTIGUOUS LINE, PENNSACOLA BAY, DATED 10/17/07; REF: 8312

EDGE OF WATER 10/17/07 @ 1:30 P.M.

VEGETATION LINE (SPARTINA alterniflora AND JUNCUS)

EDGE OF WATER 10/17/07 @ 1:30 P.M.

EDGE OF WATER 10/17/07 @ 1:30 P.M.

DIRECTION OF NAVIGABLE CHANNEL AND GILMORE BAYOU OUTLET TO PENSACOLA BAY

LOT 36 (RESIDENCE)

LOT 37 (RESIDENCE)

LOT 38 (RESIDENCE)

LOT 39 (RESIDENCE)

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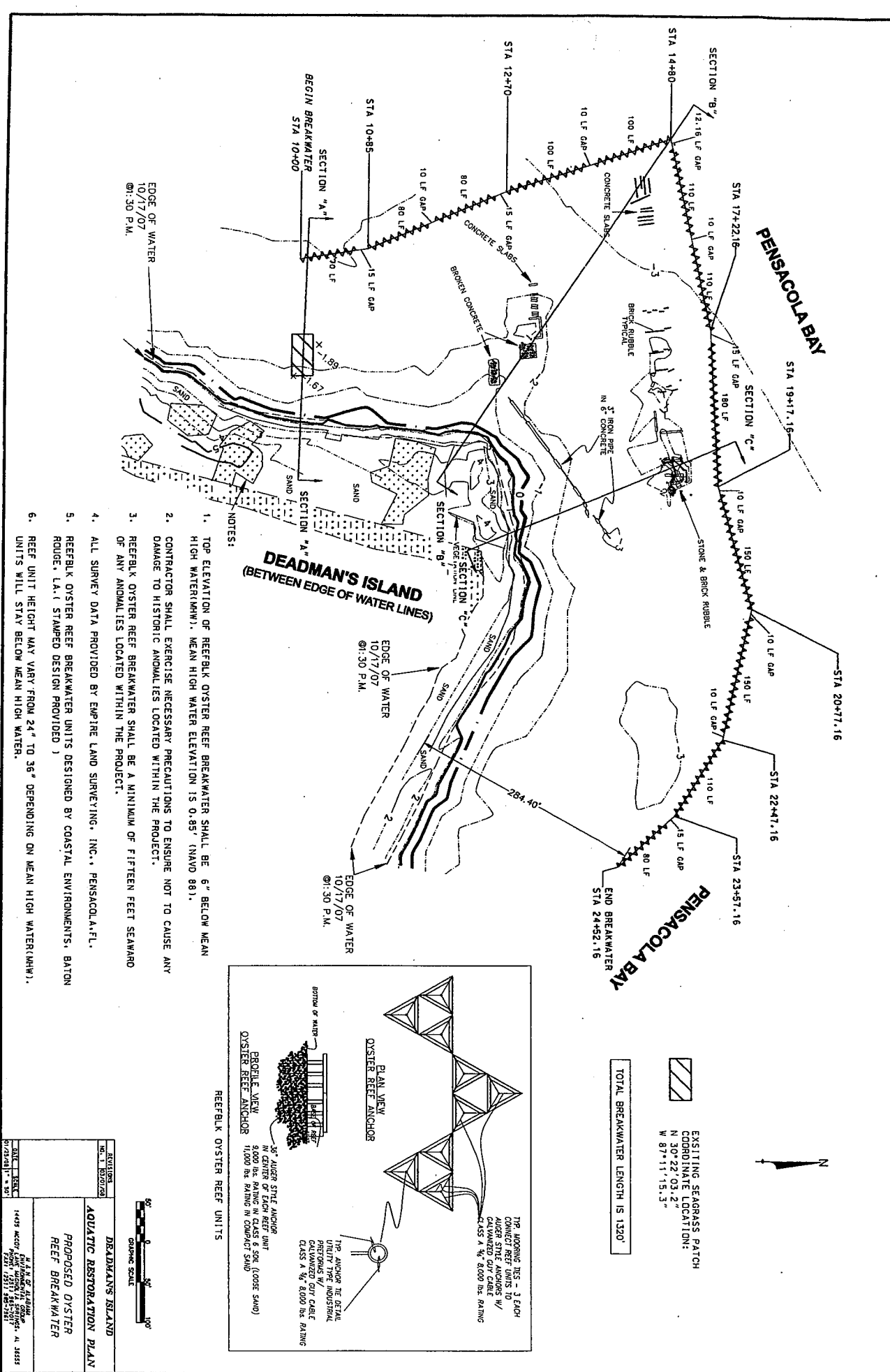
LOT 235 (

Halodule wrightii

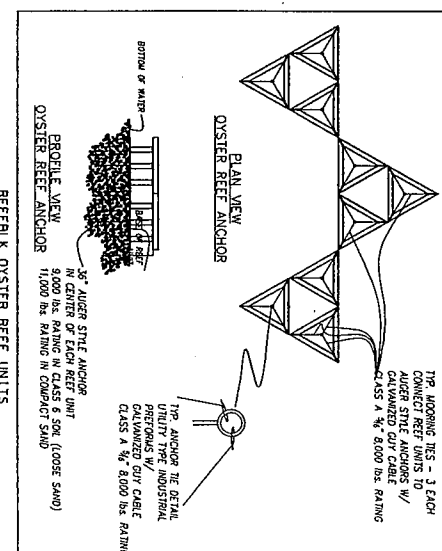
Seagrass expansion and restoration

(six months-1 year after fill and vegetation planting):

MA 3/2/03



- NOTES:
1. TOP ELEVATION OF REEFBLK OYSTER REEF BREAKWATER SHALL BE 6" BELOW MEAN HIGH WATER (MHW). MEAN HIGH WATER ELEVATION IS 0.85' (NAVD 88).
 2. CONTRACTOR SHALL EXERCISE NECESSARY PRECAUTIONS TO ENSURE NOT TO CAUSE ANY DAMAGE TO HISTORIC ANOMALIES LOCATED WITHIN THE PROJECT.
 3. REEFBLK OYSTER REEF BREAKWATER SHALL BE A MINIMUM OF FIFTEEN FEET SEAWARD OF ANY ANOMALIES LOCATED WITHIN THE PROJECT.
 4. ALL SURVEY DATA PROVIDED BY EMPHIRE LAND SURVEYING, INC., PENSACOLA, FL.
 5. REEFBLK OYSTER REEF BREAKWATER UNITS DESIGNED BY COASTAL ENVIRONMENTS, BATON ROUGE, LA. (STAMPED DESIGN PROVIDED)
 6. REEF UNIT HEIGHT MAY VARY FROM 24" TO 36" DEPENDING ON MEAN HIGH WATER (MHW). UNITS WILL STAY BELOW MEAN HIGH WATER.



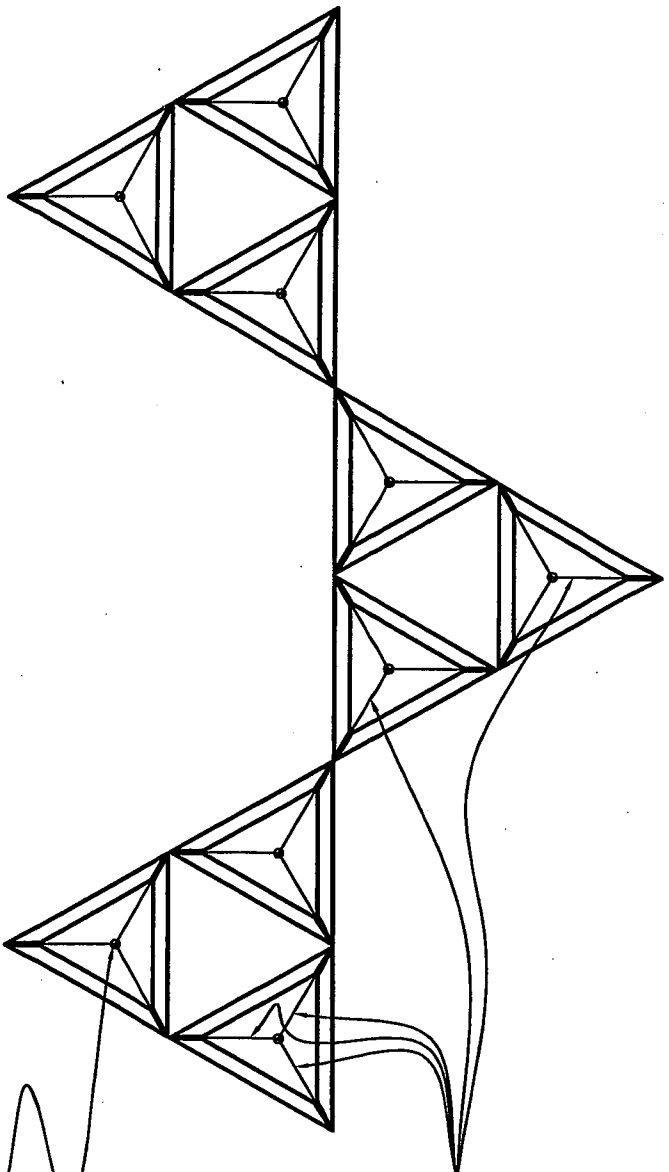
TOTAL BREAKWATER LENGTH IS 1320'

EXISTING SEAGRASS PATCH
COORDINATE LOCATION:
N 30°22'03.2"
W 87°11'15.3"

DATE	BY	REVISION
01/23/01	MA	1
03/22/03	MA	2

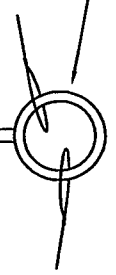
DEADMAN'S ISLAND
AQUATIC RESTORATION PLAN
PROPOSED OYSTER
REEF BREAKWATER

MA & S. ALABAMA
14435 MCGOWAN LANE, SUITE 100, DUNSTON, AL 36555
904-221-1111 FAX 904-221-1112



TYP. MOORING TIES - 3 EACH
CONNECT REEF UNITS TO
AUGER STYLE ANCHORS W/
GALVANIZED GUY CABLE
CLASS A $\frac{5}{16}$ " 8,000 lbs. RATING

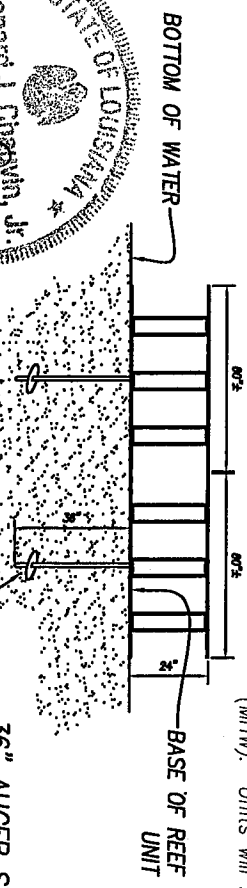
PLAN VIEW
OYSTER REEF ANCHOR



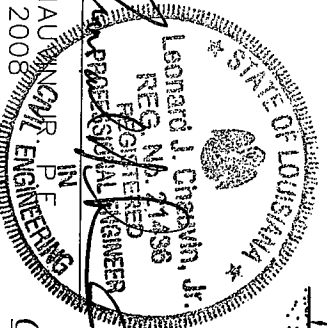
TYP. ANCHOR TIE DETAIL
UTILITY TYPE INDUSTRIAL
PREFORMS W/
GALVANIZED GUY CABLE
CLASS A $\frac{5}{16}$ " 8,000 lbs. RATING

Note:

Reef Unit Height may vary from 24" to
36" depending on Mean High Water Level
(MHW). Units will stay below MHW.



36" AUGER STYLE ANCHOR
IN CENTER OF EACH REEF UNIT
9,000 lbs. RATING IN CLASS 6 SOIL (LOOSE SAND)
11,000 lbs. RATING IN COMPACT SAND



APPROVED:
LEONARD J. CHAPON, JR.
FEBRUARY 29, 2008
PROFESSIONAL ENGINEER
IN MECHANICAL ENGINEERING

PROFILE VIEW
OYSTER REEF ANCHOR

REEFBLK

Oyster Reef

ANCHORING SYSTEM

for

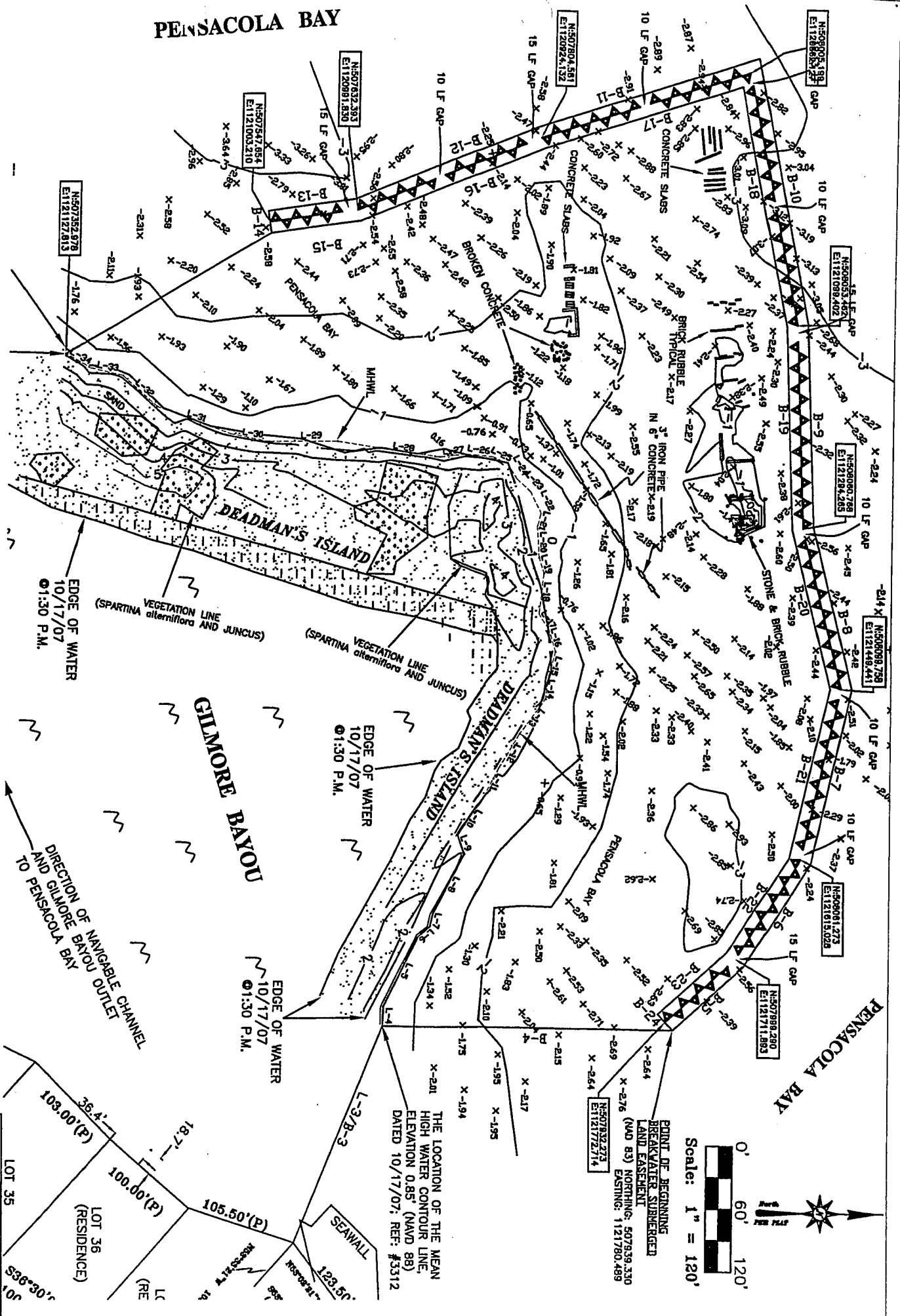
REEFBLK OYSTER REEF UNITS

SCALE: 1:5
DATE: February 29, 2008
DRAWN BY: Z.L.B.
CEI PROJECT #:
SHEET No. 2 of 2

PAGE: 1 OF 6
SCALE: 1"=300'
FIELD DATE: 11/06/07
ORDER NO: 456-07 B1
FIELD BOOK: 121/20-27

EMPIRE LAND SURVEYING, INC.
6720 N. PALFOX STREET, PENSACOLA, FLORIDA 32504
PHONE: 850-477-3745---FAX: 850-477-3705
LICENSED BUSINESS, 69923 STATE OF FLORIDA
D:\jeremy\jobs\DWG\458-07.dwg, 12/29/2006 10:01:49 AM

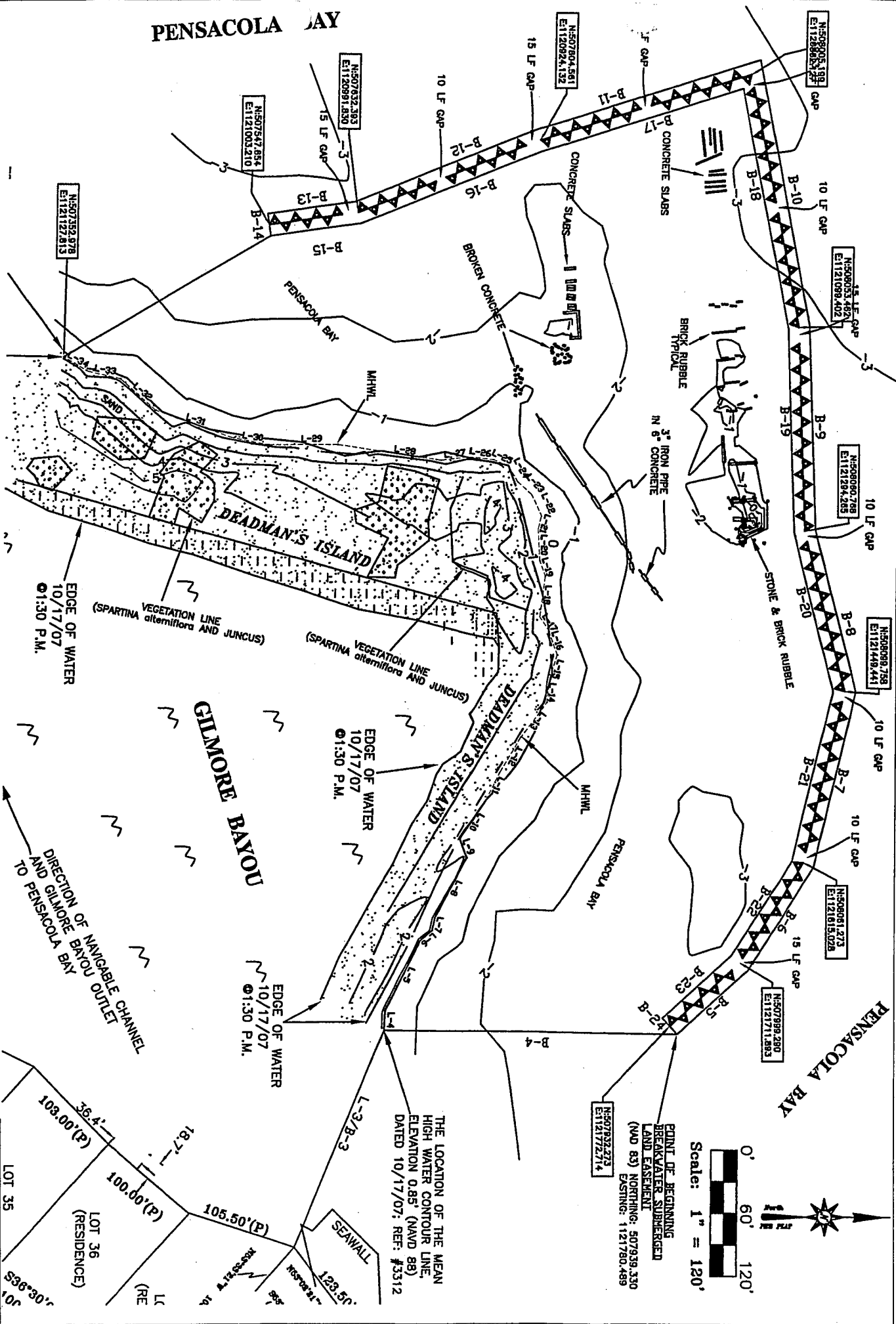
**DEADMAN'S ISLAND
ENLARGED BREAKWATER
SUBMERGED LAND EASEMENT
WITH BREAKWATER WALL AND
BATHMETRIC VIEW**



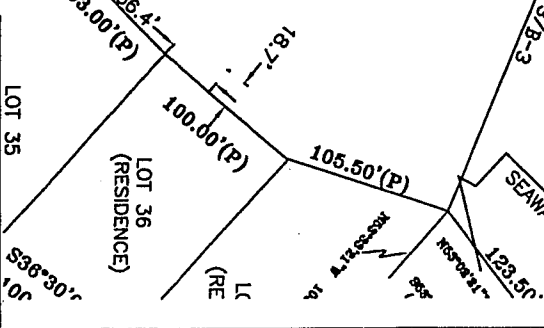
PAGE: 2 OF 6
SCALE: 1"=150'
FIELD DATE: 11/06/07
ORDER NO.: 458-07 B1
FIELD BOOK: 121/20-27

PENSACOLA BAY

EMPIRE LAND SURVEYING, INC.
8720 N. PALMVIEW STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3746 FAX: 850-477-3705
FACSIMILE: 850-477-3705
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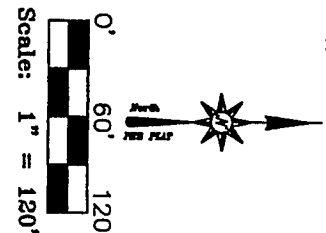


**DEADMAN'S ISLAND
ENLARGED BREAKWATER
SUBMERGED LAND EASEMENT
WITH BREAKWATER WALL**



THE LOCATION OF THE MEAN
HIGH WATER CONTOUR LINE,
ELEVATION 0.85' (NAD 83)
DATED 10/17/07; REF: #3312

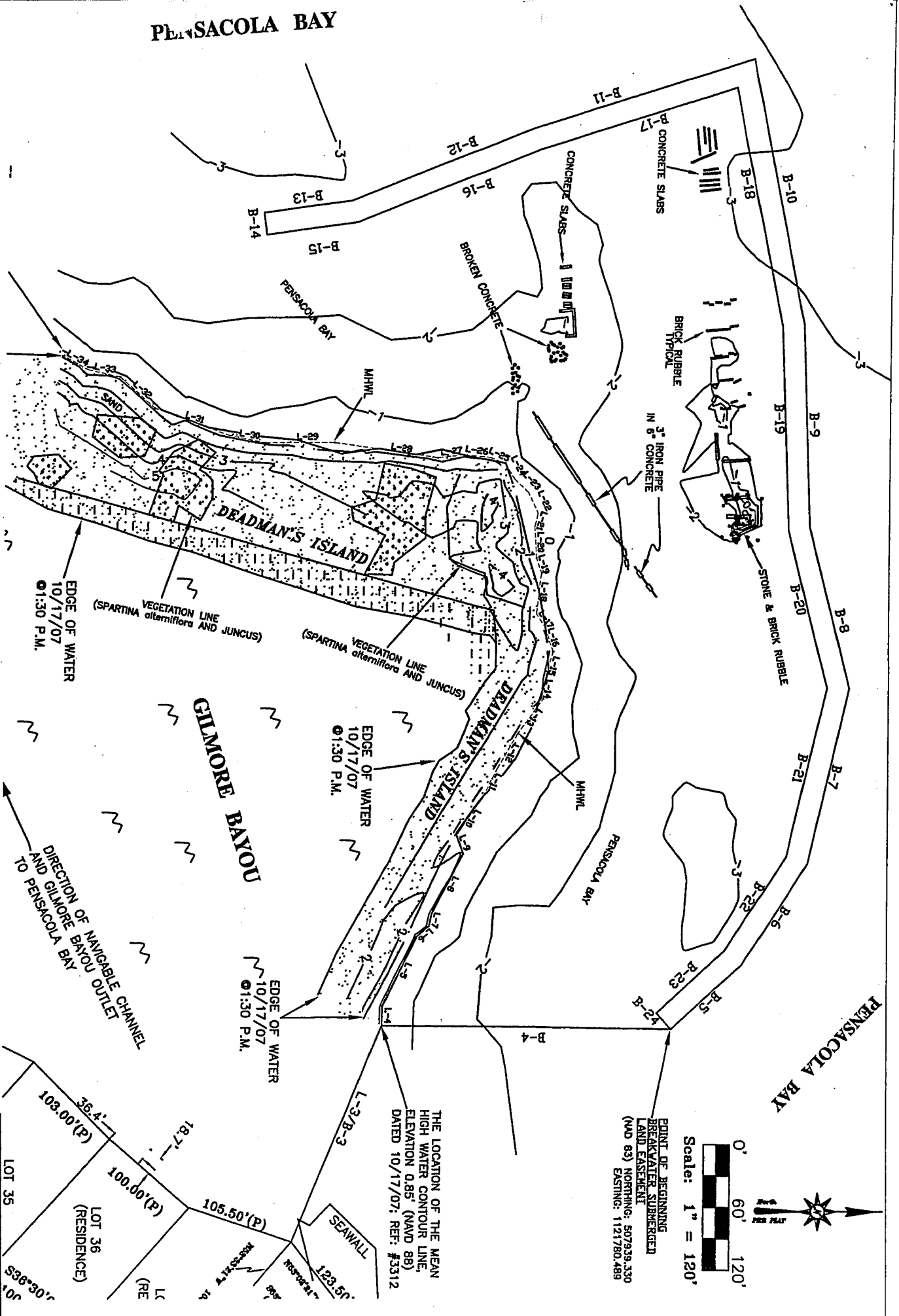
POINT OF BEGINNING
BREAKWATER SUBMERGED
LAND EASEMENT
(NAD 83) NORTHING: 507939.330
EASTING: 1121720.489



PAGE: 3 OF 6
SCALE: 1"=180'
FIELD DATE: 11/08/07
ORDER NO: 458-07 B1
FIELD BOOK: 121/20-27

PENSACOLA BAY

EMPIRE LAND SURVEYING, INC.
8720 N. PALMAY STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3746 FAX: 850-477-3705
ALDEN R. BURNETT, LICENSED SURVEYOR, STATE OF FLORIDA
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**DEADMAN'S ISLAND
ENLARGED BREAKWATER
SUBMERGED LAND EASEMENT**

PAGE: 4 OF 6
SCALE: 1"=180'
FIELD DATE: 11/06/07
ORDER NO.: 456-07 B1
FIELD BOOK: 121/20-27

Spoil sites for beneficial use of dredged material

